

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F043081 People v. Ortiz

Appellant's petition for rehearing filed herein is denied.

Regardless whether appellant's motion for new trial was timely under Penal Code sections 1182 or 1202, appellant may address the validity of his motion for new trial for ineffective assistance of counsel on remand as previously ordered by this court.

Under the discussion portion on page 3, the third sentence in the first paragraph is stricken from the opinion filed on July 19, 2004.

F043193 People v. Bermudez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F043571 People v. Cintas

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F043819 People v. Tate

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F045704 In re Jonathan Leland Weatherly On Habeas Corpus

Let a writ of habeas corpus issue directing the Clerk of the Superior Court of the County of Merced to deem the notice of appeal dated “1/28/02” in Merced County Superior Court action No. 26182 to be from sentencing issues only, to deem that notice operative and to cause a normal record on appeal to be prepared in accordance with the applicable rules of the California Rules of Court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044540 In re P.D., a Minor; Kern County Department of Human Services v. L.D.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F044540 In re P.D., a Minor; Kern County Department of Human Services v. L.D.

The order returning P.D. to the mother’s care subject to family maintenance services is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042145 People v. Sandoval

Appellant’s petition for rehearing filed herein is denied.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F045393 Consuelo L. v. The Superior Court of Tulare Co.; Tulare Co. Health & Human Services Agency

The petition for extraordinary writ is dismissed. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043435 Mansfield (Crandell) v. Crandell

The above referenced appeal IS HEREBY ORDERED dismissed as having been untimely filed.

F043445 Boessow (Mansfield) v. Mansfield

The above referenced appeal IS HEREBY ORDERED dismissed as having been untimely filed.

F043684 Pogue v. Fischer

We affirm the rulings. Costs are awarded to respondent. Dawson, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045473 K. S. v. The Superior Court of Fresno County; Fresno Co. Dept. of Children & Family Services

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]